

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: JUUL LABS, INC., MARKETING SALES
PRACTICE AND PRODUCTS LIABILITY LITIGATION

3:19-md-02913 (WHO)

Hon. William H. Orrick

This Document Relates to All Cases

**JUUL LAB INC.'S RESPONSE TO
ORDER TO SHOW CAUSE RE
SEALING OF SETTLEMENT
INFORMATION**

Defendant Juul Labs, Inc. ("JLI") respectfully submits this response to the Court's order to show cause (ECF 4167). This response addresses the redacted material in the pending motions to seal in the three categories the Fee Committee has designated: (1) certain settlement terms regarding conditions on settlement payments; (2) settlement terms generally; and (3) BrownGreer's estimated charges. The Fee Committee has requested that two portions of the briefing and related documents remain under seal, has deferred to JLI on the sealing of the settlement terms generally, and has no objection to the unsealing of the BrownGreer charges. In summary, JLI has no position as to the unsealing of any of the categories of redacted material, regardless of the Fee Committee's own requests.

1. Settlement Terms Regarding Conditions on Non-Class Settlement Payments

The Fee Committee has requested that the Court permit redaction of a small portion of settlement terms regarding conditions on Non-Class Settlement payments. These few redacted lines disclose certain conditions that may affect payments to be made by JLI under one of the non-class settlements. Specifically, these lines are:

ECF	DOCUMENT	PIN-CITE
4153-1	Fee Committee Recommendations	Page 5, lines 15-17
4153-2	London Declaration	Paragraph 17, lines 11-12

JLI does not take a position as to the redaction of these conditions.

2. Other Non-Class Settlement Terms

The Fee Committee has deferred to JLI on the basis for confidentiality of non-class settlement terms. The following redactions fall into this category:

ECF	DOCUMENT	PIN-CITE
4153-1	Fee Committee Recommendations	Page 5, lines 15-21; Page 6, lines 16 & 19-20; Page 7, lines 1-5
4153-2	London Declaration	Paragraph 17, lines 11-16; Paragraph 20, line 5
4160-3	Nafisi Objection	Page 7, lines 1 & 4
4164-1	Fee Committee Reply	Page 1, lines 24-25; Page 2, lines 21-26, Page 8, lines 13-16
4164-2	Joint Declaration	Paragraph 18; Paragraph 20, lines 15-19

JLI does not take a position as to the redaction of these conditions.

3. BrownGreer's Pricing Estimates

The Fee Committee has conferred with BrownGreer and has confirmed with them that the settlement administration pricing estimates can be unsealed. The following redactions fall into this category:

ECF	DOCUMENT	PIN-CITE
4153-1	Fee Committee Recommendations	Page 9, line 13
4153-2	London Declaration	Paragraph 34, line 12

JLI does not take a position as to the redaction of these conditions.

1 Dated: December 12, 2023

/s/ Timothy S. Danninger

2 Timothy S. Danninger, FL Bar 95195
3 GUNSTER, YOAKLEY & STEWART, P.A.
4 1 Independent Drive, Suite 2300
5 Jacksonville, FL 32202
6 Telephone: (904) 354-1980
7 Facsimile: (904) 354-2170
8 tdanninger@gunster.com
9 (pro hac vice)

10 Gregory P Stone, SBN 78329
11 Bethany W. Kristovich, SBN 241891
12 MUNGER, TOLLES & OLSON LLP
13 350 South Grand Avenue
14 Fiftieth Floor
15 Los Angeles, California 90071-3426
16 Telephone: (213) 683-9100
17 Facsimile: (213) 687-3702
18 gregory.stone@mto.com
19 bethany.kristovich@mto.com

20 Renee D. Smith (pro hac vice)
21 KIRKLAND & ELLIS LLP
22 300 N. LaSalle Street
23 Chicago, IL 60654
24 Telephone: (312) 862-2000
25 Facsimile: (312) 862-2200
26 renee.smith@kirkland.com

27 Peter A. Farrell, P.C. (pro hac vice)
28 KIRKLAND & ELLIS LLP
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 389-5959
Facsimile: (202) 389-5200
peter.farrell@kirkland.com

Attorneys for Defendant Juul Labs, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2023, I electronically served the foregoing Consolidated Plaintiff Fact Sheet Update on all counsel of record in this action using the CM/ECF system.

/s/ Timothy S. Danninger
Timothy S. Danninger